

death, whether paid in settlement, in satisfaction of judgment, as consideration for covenant not to sue, or otherwise and ~~such the~~ lien may be enforced against any person receiving ~~such the~~ funds. Neither the ~~guard-member~~ or personal representative nor the State shall make any settlement with or accept any payment from the third party without the written consent of the other and no release to or agreement with the third party shall be valid or enforceable for any purpose unless both State and ~~guard-member~~ or personal representative join therein; provided, that this sentence shall not apply if the State is made whole for all benefits paid or to be paid by ~~him the member or personal representative~~ under this Chapter less attorney's fees as provided by ~~(f)(1) and (2) hereof~~ subsection (f) of this section and the release to or agreement with the third party is executed by the ~~guard-member~~. The Attorney General shall have the right on behalf of the State to reduce by compromise its claim.

(h) Institution of proceedings against or settlement with the third party, or acceptance of benefits under this Chapter, shall not in any way or manner affect any other remedy which any party to the claim for compensation may have except as otherwise specifically provided in this Chapter, and the exercise of one remedy shall not in any way or manner be held to constitute an election of remedies so as to bar the other.

...

"Article 9.

"Privilege of Organized State Militia and Reserve Components of the Armed Forces of the United States ~~Armed Forces~~.

...

"§ 127A-117. **Contributing members.**

Each organization of the North Carolina National Guard and naval militia may, besides its regular and active members, enroll contributing members on payment in advance by each person desiring to become ~~such a~~ contributing member of not less than ten dollars (\$10.00) per annum, which money shall be paid into the unit fund. Each contributing member shall be entitled to receive from the commanding officer thereof a certificate of membership.

"§ 127A-118. **Organizations may own property; actions.**

Organizations of the North Carolina National Guard and naval militia shall have the right to own and keep real and personal property, which shall belong to the organization; and the commanding officer of any organization may recover for its use debts or effects belonging to it, or damages for injury to ~~such property, the property.~~ An action for such recovery to of debts, effects, or damages must be brought in the name of the commanding officer thereof of the organization before any court of justice within the State having jurisdiction; and no suit or complaint pending in his or her name shall be abated by his or her ceasing to be commanding officer of the organization; but upon motion of the commander succeeding him such or her the new commander shall be admitted to prosecute the suit or complaint in like manner and with like effect as if it had been originally commenced by him or her.

"§ 127A-119. **When families of soldiers, airmen and sailors supported by county.**

When any citizen of the State is absent on duty as a member of the North Carolina National Guard, State defense militia or naval militia, and ~~his the member's~~ family members are unable to support themselves during ~~his the member's~~ absence, the board of commissioners of ~~his the member's~~ county, on application, shall make a reasonable allowance towards their ~~maintenance such allowance as may be deemed reasonable maintenance.~~

"Article 10.

"Care of Military Property.

"§ 127A-125. **Custody of military property.**

All public military property, except when used in the performance of military duty, shall be kept in armories, or other properly designated places of deposit; and it shall be unlawful for any person charged with the care and safety of ~~said public~~ military property to allow ~~the same~~ out of his or her custody, except as ~~above specified~~ specified in this section.